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OFFICE OF PETITIONS

In re Application of	:	
Chi et al.	:	DECISION ON PETITION TO
Application Number: 10/817580	:	WITHDRAW HOLDING OF
Filing Date: 04/02/2004	:	ABANDONMENT
Attorney Docket Number:	:	
JCLA12583	:	

This is a decision on the petition filed on February 15, 2007, to withdraw the holding of abandonment in the above-identified application.

The application was held abandoned for failure to timely submit the issue and publication fees in response to the Notice of Allowance and Fee(s) Due mailed on March 10, 2006. On March 31, 2006, the Notice of Allowance was returned to the USPTO as undeliverable. On July 11, 2006, the Notice was remailed, however no new time period was set for reply.

Petitioners assert, in essence, that the Notice should be remailed with a new time period specified for reply.

Upon review, petitioners' contention is correct. As the correspondence remailed on July 11, 2006, did not set a new time period for reply, the period set for reply remained as set forth in the Notice of Allowance and Fee(s) Due mailed on March 10, 2006, which had been returned as undeliverable. As such, a proper time period for reply was not provided with the remailing on July 11, 2006.

Accordingly, there was no abandonment in fact. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The petition is **GRANTED**.

The application file is being referred to the Technology Center Art Unit 2841 for remailing of the Notice mailed on March 10,

2006. The period for reply will be reset from the mailing date thereof.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

A handwritten signature in black ink, appearing to read "D Wood".

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions